

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

STEVEN ROBINSON on behalf of  
himself and all others  
similarly situated,

Civil No. 11-2183 (JBS-JS)

Plaintiff,  
v.

**ORDER**

HORNELL BREWING CO., et al.,  
Defendants.

This matter coming before the Court on Plaintiff Robinson's motion to dismiss for lack of subject matter jurisdiction [Docket Item 79] and Defendants' cross-motion for partial summary judgment [Docket Item 85]; the Court having considered the arguments of the parties in favor of and opposing the motions; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 12th day of December, 2012 hereby ORDERED that Plaintiff's motion to dismiss the complaint without prejudice is GRANTED; and it is further ORDERED that Defendants' cross-motion for partial summary judgment is DENIED.

s/ Jerome B. Simandle  
JEROME B. SIMANDLE  
Chief U.S. District Judge